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UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

In re  
TULARE LOCAL HEALTHCARE  
DISTRICT, dba TULARE REGIONAL  
MEDICAL CENTER,  
  
Debtor.  
  
Tax ID # 94-6002897  
Address: 869 N. Cherry Street  
Tulare, CA 93274  
  
HEALTHCARE CONGLOMERATE  
ASSOCIATES, LLC,  
  
Plaintiff,  
  
v.  
  
TULARE LOCAL HEALTHCARE  
DISTRICT dba TULARE REGIONAL  
MEDICAL CENTER,  
  
Defendant.

Case No. 17-13797 (Chapter 9)  
  
Adv. Proc. No.: 17-01095-B  
  
DC No.: OHS-3  
  
**DECLARATION OF SHANE G. SMITH  
IN SUPPORT OF TULARE LOCAL  
HEALTHCARE DISTRICT DBA  
TULARE REGIONAL MEDICAL  
CENTER’S OPPOSITION TO  
HEALTHCARE CONGLOMERATE  
ASSOCIATES, LLC’S MOTION TO  
STRIKE PORTIONS OF ANSWER [ECF  
26]**  
  
Date: April 12, 2018  
Time: 11:30 a.m.  
Dept: Courtroom 13  
Judge: Hon. Rene’ Lastreto II

1 I, Shane G. Smith, do hereby declare and state:

2 1. Your Declarant is a member of the law firm McCormick, Barstow, Sheppard, Wayte &  
3 Carruth, LLP, attorneys of record herein for Defendant Tulare Local Healthcare District ("TLHD")  
4 dba Tulare Regional Medical Center ("TRMC"). As such I am a duly licensed and practicing attorney  
5 before all courts in the State of California and before this Court. I make this declaration of my  
6 personal knowledge and, if called to testify, could and would testify competently to the matters set  
7 forth herein.

8 2. Your Declarant makes this declaration in support of *Tulare Local Healthcare District*  
9 *dba Tulare Regional Medical Center's Opposition to Healthcare Conglomerate Associates, LLC's*  
10 *Motion to Strike Portions of Answer [ECF 26]* filed concurrently herewith.

11 3. The exhibits attached hereto are the subject of TRMC's *Tulare Local Healthcare*  
12 *District dba Tulare Regional Medical Center's Request for Judicial Notice in Support of Its*  
13 *Opposition to Healthcare Conglomerate Associates, LLC's Motion to Strike Portions of Answer [ECF*  
14 *26]* filed concurrently herewith.

15 4. A true and correct copy of Order on Plaintiff's F.R.Civ.P. 12(f) Motion to Strike  
16 Affirmative Defenses, filed at ECF 29 in *Burton v. Nationstar Mortgage, LLC*, No. 1:13-cv-00307-  
17 LJO-JLT (E.D. Cal. Sept. 3, 2013), is submitted hereto as Exhibit A.

18 5. A true and correct copy of Answer to the First Amended Complaint of Defendants-  
19 Intervenors Westlands Water District, San Luis Water District, and Panoche Water District, filed at  
20 ECF 59 in *Pacific Coast Federation of Fisherman's Assoc. v. U.S. Dept. of the Interior*, No. 1:12-cv-  
21 01303-LJO-MJS (E.D. Cal.) on April 19, 2013, is submitted hereto as Exhibit B.

22 6. A true and correct copy of Noll Manufacturing Co., N&NW Manufacturing Holding  
23 Co., Inc., and the Employee Ownership Holding Company, Inc.'s Answer to Plaintiffs' Amended  
24 Complaint, filed at ECF 245 in *Johnson v. Couturier, Jr.*, No. 2:05-cv-02046-RRB-KJN (E.D. Cal.)  
25 on November 16, 2007, is submitted hereto as Exhibit C.

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Shane G. Smith

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SMITH DECLARATION ISO DEFT. TRMC'S OPPN. MOTION TO STRIKE ANSWER